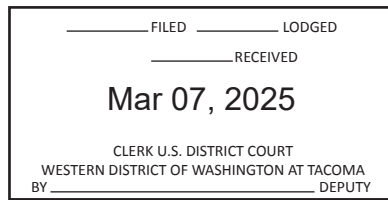


The Honorable Grady J. Leupold



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JEFFREY FABIANI,
Defendant.

CASE NO. MJ25-5086 GJL

COMPLAINT for VIOLATION
18 U.S.C. §§ 2251(a), (e)
18 U.S.C. §§ 2252(a)(4)(B), (b)(2)

Before the Honorable Grady J. Leupold, United States Magistrate Judge, United States Courthouse, Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

(Attempted Production of Child Pornography)

Between in or about 2023 and in or about 2024, in Pierce County, within the Western District of Washington and elsewhere, JEFFREY FABIANI attempted to employ, use, persuade, induce, entice, and coerce a minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted

1 using any means and facility of interstate and foreign commerce and in and affecting
2 interstate and foreign commerce and mailed, such visual depiction was produced and
3 transmitted using materials that have been mailed, shipped, and transported in and
4 affecting interstate and foreign commerce by any means, including by computer, and
5 such visual depiction has actually been transported and transmitted using any means and
6 facility of interstate and foreign commerce and in and affecting interstate and foreign
7 commerce and mailed.
8

9 All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

10 **COUNT 2**

11 **(Possession of Child Pornography)**

12 Between not later than in or about March 2022 and in or about March 2025, , in
13 Pierce County, within the Western District of Washington, and elsewhere, JEFFREY
14 FABIANI knowingly possessed matter that contained any visual depiction—the
15 production of which involved the use of a minor engaging in sexually explicit conduct
16 and such visual depiction was of such conduct—that was mailed and shipped and
17 transported using any means and facility of interstate and foreign commerce and in and
18 affecting interstate and foreign commerce and that was produced using materials that had
19 been so mailed and shipped and transported by any means, including by computer, and
20 any visual depiction involved in the offense involved a prepubescent minor and a minor
21 who had not attained 12 years of age.
22

23 All in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and
24 2252(b)(2).

25 And the complainant states that this Complaint is based on the following
26 information:

27 I, Special Agent Kyle McNeal, being duly sworn under oath, depose and say:

28 **INTRODUCTION**

1 1. I, Kyle McNeal, am a Special Agent (SA) with the Federal Bureau of
2 Investigation (FBI), assigned to the Special Agent in Charge in Seattle, Washington. I
3 have been an Agent with the FBI since April 2011. As part of my daily duties as an FBI
4 agent, I investigate criminal violations relating to child exploitation and child
5 pornography including violations of Title 18, United States Code §§ 2251(a), 2252A,
6 2422, and 2423. I have received training regarding child pornography and child
7 exploitation, and have observed and reviewed numerous examples of child pornography
8 in numerous forms of media, including media stored on digital media storage devices
9 such as computers, iPhones, etc. I have also participated in the execution of numerous
10 search warrants involving investigations of child exploitation and/or child pornography
11 offenses. I am a member of the FBI South Sound Child Exploitation and Human
12 Trafficking Task Force in the Western District of Washington, and work with other
13 federal, state, and local law enforcement personnel in the investigation and prosecution of
14 crimes involving the sexual exploitation of children.

15 2. The facts set forth in this Complaint are based on my own personal
16 knowledge; knowledge obtained from other individuals during my participation in this
17 investigation, including other law enforcement officers; review of documents and records
18 related to this investigation; communications with others who have personal knowledge
19 of the events and circumstances described herein; and information gained through my
20 training and experience. I have not set forth all facts known to me as a result of this
21 investigation but only those facts I believe necessary to establish probable cause to
22 conclude that JEFFREY FABIANI committed the offense(s) charged in this Complaint.

23 **SUMMARY OF THE INVESTIGATION**

24 3. On March 7, 2025, FBI executed a warrant at the Pierce County home of
25 JEFFREY FABIANI based on information showing that FABIANI was a member of a
26 website dedicated to child sexual abuse and sharing child sexual abuse material (CSAM).

27 4. Federal agents encountered FABIANI and conducted a recorded interview
28 after advising him of his constitutional rights. Among other things, FABIANI offered the

1 following information, which was related to me by the investigating agents who
2 conducted the interview:

- 3 • He was a member of the website under investigation that was the subject of the
4 search warrant and confirmed his username on that site.
- 5 • He has been using the internet to share and download CSAM for
6 approximately 2 years.
- 7 • He has at least 1,000 CSAM files stored on a external hard drive he keeps in his
8 office near a desktop computer.
- 9 • The children in this imagery range from infants to minors in their early teens.
- 10 • He has shared or posted CSAM online on approximately 20 occasions and has
11 done so only because it was necessary to gain access to additional CSAM for
12 himself.

13 5. During the search, agents recovered a Western Digital external hard drive
14 in FABIANI's downstairs office. A forensic preview of that device revealed it contained
15 multiple CSAM files, including the three files I viewed and describe below:

16 File 1: This video is 1 minute and 11 seconds long and depicts a prepubescent
17 minor. During the video, the child masturbates an adult male penis while partially
18 nude. As the video progresses, the camera shows the child's exposed genitals and
19 concludes with the male masturbating and ejaculating on the child. I estimate this
20 child is between 6 and 10 years old based on her lack of pubic/body hair, small
21 stature, youthful facial features, and lack of pubic/muscular/breast development.

22
23 File 2: This video is 25 seconds long and depicts a prepubescent minor being
24 anally raped by an adult male. The video concludes with the male ejaculating on
25 the child's genitals. I estimate the child is between 2 and 6 years old based on her
26 small stature in comparison to the male's hands/penis and her lack of body/pub
27 hair.
28

1 File 3: This video is 11 minutes and 8seconds long and depicts a nude
2 prepubescent minor. During the video, an adult male inserts his penis into the
3 child's mouth, has her masturbate his penis, and concludes with the male
4 masturbating to the point of ejaculation and the child ingesting some of the
5 ejaculate. I estimate the child to be between 6 and 10 years old based on her
6 youthful facial features, lack of pubic/body hair, and lack of muscular/pubic/breast
7 development.

8 6. Two minors under age 12 also reside in this home. Each of their rooms has
9 a video camera positioned so that each child's bed is in the frame. The feed for each
10 camera goes to a computer in FABIANI's office.

11 7. The preview of FABIANI's devices also revealed multiple photos and
12 videos of MV1—currently age 15 and a relative of FABIANI's. During his interview,
13 FABIANI acknowledged that he had been surreptitiously filming/photographing MV1 for
14 a couple of years.

15 8. Agents recovered multiple photos taken in 2023 of MV1 wearing jean
16 shorts from a PNY external drive found in FABIANI's office and bearing a label
17 indicating it was manufactured in Taiwan. The series progresses with ever closer shots of
18 MV1's genitals/pubic area while wearing these shorts. It is apparent that the
19 photographer is attempting to capture the photos at an angle and with sufficient
20 magnification to film MV1's pubic area/genitals underneath her shorts.

21 9. A video from 2024 found on FABIANI's Google Pixel smartphone depicts
22 MV1 in loose gray running shorts. During the video the person holding the phone
23 attempts to position the camera such that it could record MV1's buttocks, genitals, and
24 pubic area under her shorts.

25 10. During his interview, FABIANI acknowledged that he captured these
26 photos/video and that he was attempting to capture what was underneath MV1's clothing.
27 He said he took these photos/video while at a relative's home in the Gig Harbor area.
28

1 11. In both the photos and video described above, FABIANI was not able to
2 successfully film MV1's genitals or pubic area under her clothing.


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5 //

1 **CONCLUSION**

2 12. Based on the above facts, I respectfully submit that there is probable cause
3 to believe that JEFFREY FABIANI, committed the offense(s) charged in this Complaint.

4 
5 _____
6 Kyle McNeal, Affiant
7 Special Agent, FBI
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9 The above-named affiant provided a sworn statement attesting to the truth of the
10 foregoing on this 7th day of March, 2025.

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12 _____
13 GRADY J. LEUPOLD
14 United States Magistrate Judge
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